



**Gladwin Police Department
Duane W. Bean II, Chief
1000 West Cedar Avenue
Gladwin, Michigan 48624
Telephone: (989) 426-7879
Fax: (989) 246-2043**

03/12/14

Michigan State Representative Joel Johnson,
97th District

I am writing this letter to you in support of Michigan House Bill 5055.

As you are aware, I am the Chief of the Gladwin City Police Department, which is located in the County of Gladwin, and the State of Michigan. This letter is being written in regards to restitution for transportation costs for Gladwin County Court issued bench warrants.

When the Gladwin County Courts issue bench warrants on a convicted person, (who fail to follow the courts direction) the courts give the bench warrant for enforcement to the police agency that submitted the original criminal case. The original agency takes the court's bench warrant, enters them into the LEIN computer system for arrest. Once that convicted person is arrested on the outstanding bench warrant, any transportation from the arresting location to the Gladwin County Jail is the responsibility of the originating agency. The originating agency bears the sole cost of this transport to the Gladwin County Jail and doesn't get any restitution. In the past, the Gladwin City Police have made multiple unreimbursed trips to pick up the same convicted person, on the same re-issued bench warrant.

In a previous bench warrant case, the Gladwin City Police had to drive to Oakland County to pick up a convicted person on an outstanding Gladwin County District Court Bench Warrant. The cost for this five (5) hour transport to the Gladwin City Police, including officer's wages, and police vehicle costs is approximately \$250. In a few cases, such as the one mentioned above, the Gladwin City Police have picked up the same convicted person on re-issued bench warrants, multiple times.

Bench Warrants get issued by the court for multiple reasons, one reason being failed to pay court costs and fines. The bench warrants that are issued for fines and costs, sometimes are for failing to pay a court ordered amount that is lower than the monies spent by the Gladwin City Police for picking up and transporting these convicted people. The Gladwin County Courts want to obtain their court ordered monies, but the Gladwin City Police expend Gladwin City tax dollars to transport these convicted people back and forth and do not get any restitution.

The Gladwin City Police have asked for restitution from all of the Gladwin County Courts. No Gladwin County court or Judge authorizes transportation restitution on bench warrants. The Gladwin County Magistrate, Michael Greer, has said

that there is no mechanism in the laws for the Judges to order or to seek reimbursement from the convicted person for their bench warrant transportation.

Michigan House Bill 5055 would make the person responsible for the bench warrants issuance bear the cost of that transportation and not the City of Gladwin taxpayers. The way the system is operating now, the City of Gladwin expends funds, so that the County Courts of Gladwin can collect funds.

If you have any questions, please feel free to contact me.

Thank you,

Duane Bean II
Chief